

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

Bail Appl..No. 7107 of 2007()

MP.6451/2007 of J.M.F.C.-I,KOCHI
CRIME NO.158/06 OF NARAKKAL POLICE STATION
.....

PETITIONER : ACCUSED:

V.K.SHAJI, AGED 42, S/O.KUMARAN,
VETTUKATTICHIRA VEEDU, NEDUNGADU BHAGATH,
NAYARMBALAM VILLAGE, ERNAKULAM DISTRICT.

BY ADV. SRI.K.I.ABDUL RASHEED

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.
 2. THE CIRCLE INSPECTOR OF POLICE,
NARAKKAL.

BY P.P. SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A. NO. 7107 of 2007

Dated this the 23rd day of November, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Secs.376 and 307 of the IPC. The crime was initially registered under the caption "woman missing". The victim and the petitioner were allegedly love. They did have sexual intercourse with each other. The petitioner is alleged to have threatened the victim that he would commit suicide if she did not go with him. She allegedly went with him and both of them were found after consumption of poison. The victim later alleged that the petitioner had compelled her to consume poison. The petitioner was arrested on 8/11/07. He continues in custody from that date.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. He, who has been continuing in custody from 8/11/07, may now be enlarged on bail, it is prayed.

3. The learned Public Prosecutor does not oppose the application. The Case Diary has been placed before me for my

perusal. I have perused the same. In the facts and circumstances of this case, I am satisfied that the petitioner can be enlarged on bail. In the absence of opposition, it is not necessary for me to advert to the facts in any greater detail. Suffice it to say that I am satisfied that the petitioner is entitled to regular bail.

4. In the result:

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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